

## Article - Family Law

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§10–113.1.

- (a)
  - (1) In this section the following words have the meanings indicated.
  - (2) “Agency” means the State Lottery and Gaming Control Agency.
  - (3) “Video lottery facility” has the meaning stated in § 9–1A–01 of the State Government Article.
  - (4) “Video lottery operation licensee” has the meaning stated in § 9–1A–01 of the State Government Article.
- (b) The Administration may certify to the Agency the name of any obligor who is in arrears in the amount of \$150 or more if:
  - (1) the Administration has accepted an assignment of support under § 5–312(b)(2) of the Human Services Article; or
  - (2) the recipient of support payments has filed an application for support enforcement services with the Administration.
- (c) The certification shall contain:
  - (1) the full name of the obligor, and any other names known to be used by the obligor;
  - (2) the Social Security number of the obligor; and
  - (3) the amount of the arrearage.
- (d) If an obligor who has been certified as an obligor wins a lottery prize to be paid by check directly by the Agency, the Agency shall send a notice to the obligor that:
  - (1) the obligor has won a prize to be paid by check directly by the State Lottery and Gaming Control Agency;
  - (2) the State Lottery and Gaming Control Agency has received certification from the Child Support Administration of the obligor’s child support arrearage in the amount specified;

(3) State law requires the State Lottery and Gaming Control Agency to withhold the prize and to pay it towards the obligor's support arrearage;

(4) the obligor has 15 days to appeal to the Administration if the obligor disputes the existence or the amount of the arrearage; and

(5) on interception of the prize, the State Lottery and Gaming Control Agency will transfer the prize or the part of the prize that equals the obligor's child support arrearage to the Administration.

(e) If an obligor who owes child support and has been certified as an obligor wins a prize at a video lottery facility requiring the issuance of Internal Revenue Service form W-2G or a substantially equivalent form by a video lottery operation licensee, the video lottery operation licensee shall provide a notice to the obligor that:

(1) the obligor has won a prize to be paid by cash or check directly by the video lottery operation licensee;

(2) the State Lottery and Gaming Control Agency has received certification from the Child Support Administration of the obligor's child support arrearage in the amount specified;

(3) State law requires the video lottery operation licensee to withhold the prize and to pay it towards the obligor's child support arrearage;

(4) the obligor has 15 days to appeal to the Administration if the obligor disputes the existence or the amount of the child support arrearage; and

(5) on interception of the prize, the video lottery operation licensee will transfer the prize or the part of the prize that equals the obligor's child support arrearage to the Administration.

(f) (1) The Agency or the video lottery operation licensee shall:

(i) withhold and transfer all or part of the prize up to the amount of the arrearage to the Administration; and

(ii) pay the excess to the obligor.

(2) The Agency and a video lottery operation licensee shall honor interception requests in the following order:

(i) an interception request under this section;

(ii) an interception request under § 11–618 of the Criminal Procedure Article; and

(iii) an interception request under § 3–307 of the State Finance and Procurement Article.

(g) (1) On receipt of a notice from the Agency or video lottery operation licensee, an obligor who disputes the existence or amount of the arrearage may appeal the transfer.

(2) If no appeal is filed within 15 days, the Administration may retain the withheld prize.

(3) If the obligor appeals the transfer, after a hearing by the Administration, the withheld prize shall be:

(i) paid to the obligor;

(ii) retained by the Administration; or

(iii) partly paid to the obligor and partly retained by the Administration, in the amounts specified.

(h) The Secretary of Human Services and the Director of the Agency may jointly adopt regulations to implement this section.

(i) A video lottery operation licensee may not be held liable for an act or omission taken in good faith to comply substantially with the requirements of this section.

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